

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MARKESE DELQUAN PULLIAM,

Petitioner,

v.

**THE COMMONWEALTH OF
PENNSYLVANIA BOARD OF
PROBATION AND PAROLE, et al,**

Respondents.

Case No. 1:22-140

MEMORANDUM ORDER

Procedural History

This petition for writ of habeas corpus was received by the Clerk of Court on May 2, 2022. Petitioner challenges the Parole Board's calculation of his maximum sentence date. The matter was assigned to Chief United States Magistrate Judge Richard A. Lanzillo, and later referred to him for report and recommendation in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

On June 26, 2024, Chief Magistrate Judge Lanzillo issued a Report and Recommendation recommending that the petition be denied as moot due Petitioner's parole and that no certificate of appealability issue. ECF No. 11. The Report and Recommendation was mailed to Petitioner at his last known address at SCI Albion. The Report and Recommendation has been returned by the U.S. Postal Service indicating that Petitioner has been paroled. No Objections have been received.

District courts may accept, reject, or modify—in whole or in part, the magistrate judge's findings or recommendations. 28 U.S.C. § 636(b)(1); Local Rule 72(D)(2). After *de novo* review


of the filings in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 17th day of July 2024,

IT IS ORDERED that the petition for writ of habeas corpus is denied and a certificate of appealability is denied.

IT IS FURTHER ORDERED that final judgment is entered in favor of Respondents and against Petitioner pursuant to Fed.R.Civ.P. 58.

AND, IT IS FURTHER ORDERED that the report and recommendation of Chief Magistrate Judge Lanzillo, issued on June 26, 2024 [ECF No. 11] is adopted as the opinion of the court.


Susan Paradise Baxter
SUSAN PARADISE BAXTER
United States District Judge